



July 19, 2005

Summary of Amendments Made in Order to H.R. 2601 The Foreign Relations Authorization Act, Fiscal Years 2006 and 2007

The following are summaries of the amendments made in order under the structured rule (H.Res. 365) for today's consideration of the Foreign Relations Authorization Act (H.R. 2601). Amendments may be offered only in the order listed below.

Debate time for each amendment is 10 minutes, unless otherwise noted.

AMENDMENT OUTCOMES INDICATED IN RED BOLD.

**Upon passage of the rule, section 204 of the underlying bill will automatically be struck. Section 204 would allow for the *automatic* re-appropriation of funds that would be made available in the State Department's Buying Power Maintenance Account. The Budget Committee reported that this provision, because it would be considered mandatory spending beyond the scope of the Budget Resolution, would violate the Budget Act. Once this section is removed, the underlying bill will then contain a net decrease in mandatory spending of \$25.0 million in FY2006 and a total net decrease of \$27.0 million over the FY2006-2010 period.

NOTE: Summaries are based on RSC staff's review of actual amendment text. For a summary of the underlying bill, see a separate RSC document released yesterday.

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1. Hyde/Lantos #10. Managers Amendment. AGREED TO BY VOICE VOTE.

Contains a variety of technical revisions and clarifying changes. Adds requirements for the levying of consular surcharges for border security. Adds two reports that must be translated into the native language in each country where the U.S. has a mission. Increases from 15 days to 30 days the amount of time a servicemember has to respond to a suspension without pay because of being accused of committing a crime.

2. Hyde #36 AGREED TO 226-195.

Adds to H.R. 2601 the Henry J. Hyde United Nations Reform Act as passed by the House on June 17, 2005, by a vote of 221-184: <http://clerk.house.gov/evs/2005/roll282.xml>. (20 minutes). For details on this legislation, see these two RSC documents: <http://johnshadegg.house.gov/rsc/LB%2006-16-05--UN%20Reform.pdf>

<http://johnshadegg.house.gov/rsc/LB%2006-16-05--UN%20Reform%20Amendments--with%20outcomes.pdf>

3. Dreier #9 AGREED TO BY VOICE VOTE.

Provides that the Secretary of State, in consultation with the Administrator of the USAID, is authorized to establish an Active Response Corps to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are in, are in transition from, or are likely to enter into, conflict or civil strife. Provides that the Corps shall be available if the President determines that is in the national security interests of the United States to engage in stabilization and reconstruction activities in such a country or region. Provides that the State Department's Coordinator for Stabilization and Reconstruction is authorized to conduct and arrange for training of the Active Response Corps. Outlines specific areas of potential training. Provides that training programs should be coordinated with and utilize to the extent possible existing programs and facilities. Provides that the Secretary is authorized to establish and maintain a volunteer roster of federal, state, local, and non-governmental personnel to serve as a reserve component of the Corps. Provides that not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the status of efforts to establish the Active Response Corps.

4. Poe #1 AGREED TO BY VOICE VOTE.

Earmarks \$3 million in FY2006 and \$3 million in FY2007 from the Migration and Refugee Assistance account for Thailand-based nongovernmental organizations to provide humanitarian assistance to internally displaced people in eastern Burma.

5. Poe #61 AGREED TO BY VOICE VOTE.

Amends the Foreign Service Act to clarify the statutory basis of the State Department's requirement for worldwide availability for new entrants to the Foreign Service, and also to make clear that the Department's Office of Medical Services sets medical standards for admission to the Service's medical program. Allows the Service to continue to exercise its own hiring authority—including the waiver of certain requirements when in the agency's best interests. Requires the Secretary to establish an internal administrative review process for medical ineligibility determinations.

6. Issa #49 NOT OFFERED.

Eliminates language that would transfer over \$240 million away from the existing U.S. foreign military financing program for Egypt and place it in the economic support fund. Eliminates a proposed restructuring of economic assistance to Egypt and the caps on military assistance to Egypt. Expresses a Sense of Congress supporting political and economic reform in Egypt and encourages the development of an economic assistance disbursement strategy for Egypt that places an emphasis on strengthening democratic institutions and individual freedoms, reducing corruption in the public and private sectors, promoting economic growth including economic freedom, and improving education and health systems for the people of Egypt.

7. Burton #21 AGREED TO BY VOICE VOTE.

Authorizes \$25 million in FY2006 for the transfer to the government of Colombia two tactical, unpressurized marine patrol aircraft for use by the Colombian Navy in order to disable ships

laden with cocaine and heroin closer to the Colombian shore before they hit open water. The transfer could be on a lease or grant basis.

8. Kennedy (MN)/Hooley/Osborne/Souder #51 AGREED TO 423-2.

Requires the State Department to annually certify that the five biggest exporters and the five biggest importers of certain methamphetamine precursors are “fully cooperating” with U.S. law enforcement to prevent the diversion of these chemicals for illicit purposes. If not so certified, these countries would be subject to foreign aid ineligibility provisions under current law.

9. Hooley/Souder/Baird #52 AGREED TO 424-1.

Directs the Bureau for International Narcotics and Law Enforcement Affairs (INL) to take necessary actions to stem the influx of methamphetamine from Mexico into the U.S. Directs INL to improve border security and coordinate with Mexican law enforcement and the Mexican government. Authorizes not less than \$4 million for each of fiscal years 2006 and 2007.

10. Souder #4 AGREED TO 426-1.

Requires a State Department report (within 90 days of enactment of this bill) on extradition requests for Afghans who have committed violations of narcotics laws in the United States.

11. Souder #14 AGREED TO BY VOICE VOTE.

Authorizes \$50 million to enable the State Department’s Bureau for International Narcotics Control and Law Enforcement Affairs (INL) to purchase or lease a maritime refueling support vessel capable of refueling U.S. and allied vessels engaged in drug interdiction in the Eastern Pacific transit zone.

12. Smith (NJ) #18 AGREED TO 223-205.

Modifies an amendment offered in committee by Rep. Crowley that made “access to contraception services” a required activity in obstetric fistula prevention. The Smith amendment modifies the underlying language by making “access to family planning services” an allowable, but not required, activity and also allowing funds to be used for activities to expand “abstinence education [and the] postponement of marriage and childbearing until after the teenage years.” The amendment also increases the FY2007 authorization for these activities from \$5 million to \$7.5 million, and maintains the underlying authorization at \$5 million. Current funding levels for obstetric fistula are \$1 million in FY2004 and \$3 million in FY2005. Obstetric fistula is a complication mothers can suffer during prolonged or obstructed childbirth. For more information on obstetric fistula, visit this webpage:

http://en.wikipedia.org/wiki/Obstetric_fistula

13. Hyde/Lantos/Hunter/Manzullo #11 AGREED TO BY VOICE VOTE.

Adds the text of H.R. 3100, the East Asia Security Act (which failed on suspension—yet received a majority vote—last week), to H.R. 2601. This language would authorize various measures to deter arms transfers by foreign countries to the People’s Republic of China. For more information on this language, see this RSC document:

<http://johnshadegg.house.gov/rsc/LB%207-13-05.pdf>

14. Ackerman/King (NY) #19 AGREED TO BY VOICE VOTE.

Increases from \$18.8 million to \$30 million the total authorization for the State Department program which provides for reimbursement to localities for protective services for foreign missions and officials. Authorizes an additional \$19.58 million in “back payments” to New York City for such expenses incurred since 2002.

15. Blunt #47 AGREED TO BY VOICE VOTE.

Declares that it is U.S. policy to use the “voice, vote, and influence” of the U.S. to oppose the creation of any international or global taxation by the UN or its affiliated agencies. Declares that no U.S. person shall be subject to an international tax if it is levied. This policy would not apply to fees for publications or other kinds of fees that are not tantamount to a tax on an American. (30 minutes).

16. Bordallo/Faleomavaega #69 AGREED TO BY VOICE VOTE.

Provides for equal personnel treatment of State Department employees who are residents of the U.S. territories. Permits the same reimbursements for the travel of dependents of Department employees from overseas stations to public colleges and universities in the territory of the employee’s legal residence, as provided in law for residents of the 50 states and the District of Columbia.

17. Burton #27 AGREED TO BY VOICE VOTE.

Requires the Secretary of State to conduct a cost-benefit analysis in conjunction with all appropriate federal departments and agencies, including the Homeland Security Department, and the U.S. Coast Guard, on how to best use American security assistance dollars to thwart alien smuggling, trafficking in persons, and possible terrorists entering from Ecuador.

18. Crowley #8 AGREED TO BY VOICE VOTE.

Expresses concern about language in the declaration of the Heads of State of the Shanghai Cooperation Organization (SCO) calling for the global anti-terrorist coalition to set a deadline for the temporary use of the infrastructure facilities of the SCO Member States in the War on Terror and for their military presence in these countries. Calls on the President and the Secretaries of State and Defense to open a dialogue with the SCO concerning the importance of the use of bases in the SCO Member States and to report to Congress on the outcome of such dialogue.

The SCO is an intergovernmental organization created in Shanghai on June 15, 2001, by six countries—The People’s Republic of China, the Russian Federation, the Republic of Kazakhstan, the Republic of Kyrgyzstan, the Republic of Tajikistan, and the Republic of Uzbekistan. For more information on the SCO, visit this website:

<http://www.sectSCO.org/home.asp?LanguageID=2>

19. Fossella #13 AGREED TO BY VOICE VOTE.

Withholds funding to any UN commission, organization, or agency headed by nations on the State Department’s terrorist watch list, until the President determines that such entity is not controlled by said country or that the entity has implemented minimum standards for leadership positions and eliminated automatic rotation of leadership positions.

20. Issa #48 AGREED TO BY VOICE VOTE.

Requires the Secretary of State to submit a report to Congress that describes the weakness of identification documents, including birth certificates, required for the issuance of passports. Establishes a requirement that all passport acceptance agents undergo background investigations and a comprehensive training program to improve document fraud detection efforts. Expands the authority of the U.S. government to investigate cases of the illegal sale of U.S. passports and visas by U.S. government personnel. Authorizes that Federal District Court for the District of Columbia to issue warrants in such cases and authorizes special agents under the direction of the Director of the Diplomatic Security Service to execute such warrants. Authorizes “such sums” as may be necessary or the reprogramming of receipts from passport and visa issuance. **(30 minutes).**

21. King (IA) #45, as amended AGREED TO BY VOICE VOTE.

Requires the Secretary of State to submit a report to Congress identifying each nongovernmental organization (NGO) that has received funding under the President’s Emergency Plan for AIDS Relief, the date on which the funding was provided to the NGO, and the date on which the NGO filed a statement with the U.S. government certifying that the NGO has in effect a policy explicitly opposing prostitution and sex trafficking.

According to Public Law 108-25, funds must not be used “to promote or advocate the legalization or practice of prostitution or sex trafficking,” and organizations must have a policy “explicitly opposing prostitution and sex trafficking.” The amendment sponsor has indicated that his amendment is offered in an attempt to ensure that the State Department is enforcing this provision of the Global AIDS law and that grant recipients are complying with the law.

22. King (IA) #46 AGREED TO 423-0.

Inserts the text of H.Con.Res. 144, condemning the attacks on U.S. citizens by Palestinian terrorists and listing all 53 victims since 1993. Encourages the Palestinian leaders to work with Israel to end all terrorist acts on innocent individuals, regardless of citizenship.

23. Kucinich #67 FAILED 124-302.

Requires the President to direct the U.S. representatives to the United Nations and other international organizations to immediately commence negotiations for an international treaty banning space-based weapons and the use of weapons to destroy or damage objects in Earth’s orbit.

24. Lantos #20 AGREED TO 373-56.

Requires the State Department to develop a strategy, in consultation with the Departments of Homeland Security, Education, and Commerce, to:

- counter widespread perceptions among foreign students that the U.S. is no longer a welcoming place for them and increase the number of applications from foreign students for study in the U.S.;
- undertake annual consultations with non-governmental organizations, university officials, foreign students, and other interested parties to seek input on the development of this strategy;

- identify and report on priority posts where important declines in visa application rates have occurred and best-practice posts that have developed to improve application rates—and take corrective action accordingly; and
- provide enhanced training for processing and facilitating student visas.

Also directs the Secretary of State to undertake a “sustained diplomatic dialogue with key foreign governments,” including the People’s Republic of China and the Russian Federation, aimed at renegotiating the terms of existing reciprocal agreements to reduce the need for frequent renewals of student and exchange visas.

25. Mack #24 AGREED TO BY VOICE VOTE.

Authorizes “such sums as may be necessary” for the next two fiscal years for the Broadcasting Board of Governors to broadcast at least 30 minutes a day of “balanced, objective, and comprehensive” TV and/or radio news programming to Venezuela.

26. Rogers (MI) #54 FAILED 156-273.

States that Congress recognizes and affirms the efforts of the Great Lakes Governors and Canadian Premiers in developing a common standard for decisions relating to the withdrawal of water from the Great Lakes and urges that the management authority over the waters of the Great Lakes should remain vested with the Governors or Premiers of the eight Great Lakes States and two Canadian Provinces that share stewardship over the Great Lakes.

27. Tancredo #25 AGREED TO BY VOICE VOTE.

Expresses a sense of Congress that recent comments made by Chinese Major General Zhu Chenghu, openly advocating the use of nuclear weapons against the United States, damages U.S.-China relations and violates China’s commitment to resolve its differences with Taiwan peacefully. Expresses further that the government of the People’s Republic of China should renounce the use of force against Taiwan, disavow General Zhu’s statements, and remove Zhu from his command. For more information and to read the General’s actual comments, visit this webpage: http://www.iht.com/bin/print_ipub.php?file=/articles/2005/07/15/news/china.php

28. Watson #38 AGREED TO 422-2.

States that it shall be U.S. policy to seek the expeditious transfer of Charles Ghankay Taylor, former President of the Republic of Liberia, to the jurisdiction of the Special Court for Sierra Leone to undergo a fair and open trial for war crimes, crimes against humanity, and other serious violations of international humanitarian law. This amendment mirrors H.Con.Res. 127, which passed the House on May 4, 2005, by a vote of 421-1: <http://clerk.house.gov/evs/2005/roll155.xml>

29. Watson #39 AGREED TO BY VOICE VOTE.

Authorizes \$5 million for the State Department to improve the understanding of, adherence to, and enforcement of intellectual property laws and agreements in countries that are not members of the Organization for Economic Cooperation and Development (OECD).

30. Berkley/Crowley #56 AGREED TO 330-100.

States that the U.S. should promote the emergence of a democratic Palestinian government that

denounces and combats terrorism; has agreed to disarm terrorists; has agreed to work to eliminate terrorist incitement; has agreed to respect the boundaries and sovereignty of its neighbors; and respects the human rights of all people. Provides that no more than 25% of the total funds available to the Palestinian Authority could be obligated and expended during any calendar quarter.

31. Biggert #68 NOT OFFERED.

Makes technical corrections to section 1106 to reflect existing responsibilities regarding World Bank policy (by ensuring that the Treasury Department—not the State Department—is the lead oversight agency). Clarifies that the Financial Services Committee is an “appropriate committee” to receive any reports prepared by the Treasury Department regarding the World Bank’s activities in Iran.

32. Eshoo #17 AGREED TO BY VOICE VOTE.

Expresses a sense of Congress that “all relevant [federal] departments and agencies” pay special attention to the welfare of ChaldoAssyrians and other indigenous Christians in Iraq “in order to prevent a mass exodus that would detrimentally affect the preservation of diversity in the Middle East and the promotion of general tolerance for others.” Encourages USAID to allocate funds to help ChaldoAssyrians and other indigenous Christians in Iraq where they may be prevented from returning to their homes.

33. Fossella #28 AGREED TO BY VOICE VOTE.

Earmarks an “appropriate” level of funds already in the underlying bill for the U.S. Interests Sections in Havana to disseminate the names of fugitives, such as Joanne Chesimard and William Morales, who are enjoying safe haven in Cuba, and the amounts of any rewards for their capture.

34. Franks (AZ) #2 FAILED BY VOICE VOTE.

Strikes section 1019 of the bill, which requires that the State Department report to Congress on the possibility of providing U.S. consular and visa services in Pristina, Kosova.

35. McCotter #7 NOT OFFERED.

Withholds funds from the International Criminal Tribunal for the Former Yugoslavia (ICTY), until the U.S. President confirms to Congress that the ICTY has dismissed all criminal charges against journalists reporting the work of the ICTY and has committed to taking no further action to curtail the freedom of the press.

36. Reyes #64 AGREED TO BY VOICE VOTE.

Urges the President and Secretary of State to boost efforts that would aid Mexican authorities in their struggle to pinpoint the identities of yet unidentified remains of murdered young women in Ciudad Juarez, Mexico. Authorizes \$500,000 for the State Department to provide training and assistance to identify unknown victims. For more information on the Ciudad Juarez murders, visit this webpage: http://en.wikipedia.org/wiki/Deaths_in_Ciudad_Juárez

37. Rohrabacher #55 AGREED TO 304-124-2.

Expresses a sense of Congress that:

- “the capture, detention, and interrogation of international terrorists are essential to the successful prosecution of the Global War on Terrorism and to the defense of the United States, its citizens, and its coalition partners from future terrorist attacks;
- “the detention and lawful, humane interrogation by the United States of detainees at Guantanamo Bay, Cuba, is essential to the defense of the United States and its coalition partners and to the successful prosecution of the Global War on Terrorism;
- “the detention facilities and interrogations at Guantanamo Bay, Cuba, play an essential role in the security of the United States and should not be closed or ended while the United States is waging the Global War of Terrorism.” **(60 minutes).**

38. Ros-Lehtinen #57 AGREED TO 291-137-2.

Expresses a sense of Congress that:

- “given the nature of the adversary the United States and its coalition partners face in Iraq and the difficult conditions under which the United States Armed Forces, coalition forces, and Iraqi forces find themselves, calls for an early withdrawal of United States and coalition forces are counterproductive to security aims of the United States and the hopes of the Iraqi people; and
- “such calls for an early withdrawal embolden the terrorists and undermine the morale of the United States Armed Forces, coalition forces, and Iraqi forces, and put their security at risk.”

States that it is U.S. policy:

- “to pursue a transfer of responsibility for Iraqi security to Iraqi forces; and
 - “not to withdraw prematurely the United States Armed Forces from Iraq, but to do so only when it is clear that United States national security and foreign policy goals relating to a free and stable Iraq have been or are about to be achieved.” **(60 minutes).**
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